

By Senator Simpson:

Amend by striking out the word "pistol" in line 9.

Senator Atlee moved to postpone consideration of this bill indefinitely.

Carried.

Senator Dickson entered a motion to reconsider the vote by which Senate bill No. 17 was lost, and had same spread on the Journal.

The Chair laid before the Senate,

Senate bill No. 38, being a bill to be entitled "An act to repeal chapter 100 of the acts of the Twenty-second Legislature."

Bill read second time and ordered engrossed.

The Chair laid before the Senate,

Senate bill No. 40, being a bill to be entitled "An act to amend article 2558, chapter 9, title 51, of the Revised Statutes of Texas, relating to renting and leasing property and investing and loaning money of wards."

Bill read second time.

By Senator Colquitt:

Amend by striking out all after the word "Texas," in line 10.

Lost.

By Senator Atlee:

Amend by inserting in line 10, after the word Texas, "or of any county or city in the State."

By Senator Colquitt:

Amend the amendment by striking out "city bonds."

Lost.

The amendment (Atlee's) was then adopted.

By Senator Agnew:

Amend by adding "Provided no purchase of a vendor's lien note shall be made unless as much as one-third shall have been paid on the land for which the note or notes were given."

Adopted.

By Senator Agnew:

Amend by adding, "Provided further, that the county judge shall have an abstract of title made to the land, and see that the title to same is good, and the guardian shall endorse said note in his individual capacity."

By Senator Atlee:

Amend the amendment by adding, "Said abstract to be made at the cost of the vendor of such security."

Senator Agnew accepted the amendment.

The amendment as amended was then lost.

By Senator Lewis:

Amend by striking out one-third (1-3) where it appears in the amendment offered by the Senator from Fannin, and insert one-half (1-2.)

Lost.

The bill was then ordered engrossed.

The Chair laid before the Senate,

Senate bill No. 44, being a bill to be entitled "An act to amend article 1211 of title 29, chapter 5, of the Revised Civil Statutes."

Bill read second time and ordered engrossed.

(Senator Presler in the chair.)

By unanimous consent the following bills were introduced:

By Senator Greer:

A bill to be entitled "An act to provide for the removal and distribution among the Civil Courts of Appeals for the First, Second, Fourth and Fifth Judicial Districts of Texas, of the law library belonging to the State, now situated at Tyler, Texas, and for such part of the law library situated at Austin, Texas, as may be removed and distributed under the provisions hereof."

Read first time and referred to Judiciary Committee No. 1.

By Senator Beall:

A bill to be entitled "An act to amend articles 483, 484 and 485 of the Code of Criminal Procedure of the State of Texas, prescribing the manner in which citations shall be served upon witnesses disobeying subpoenas in criminal cases, the character of judgment that may be rendered in such cases; and providing for the collection of same."

Read first time and referred to Judiciary Committee No. 2.

On motion of Senator Shelburne the Senate adjourned to 10 a. m. tomorrow.

## SIXTEENTH DAY.

Senate Chamber,

Austin, Texas, Friday, Jan. 25, 1895.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Agnew.	Greer.
Atlee.	Harrison.
Bailey.	Lawhon.
Beall.	Lewis.
Boren.	McComb.
Bowser.	Presler.
Colquitt.	Shelburne.
Crowley.	Simpson.
Dean.	Smith.
Dibrell.	Steele.
Dickson.	Tips.
Gage.	Whitaker.
Goss.	Woods.

Absent, excused.

Rogers. Sherrill.

Absent, not excused.

Darwin. Stafford.

McKinney.

Prayer by the Chaplain, Dr. Smoot.

Pending the reading of the Journal of yesterday,

On motion of Senator Woods, the same was suspended.

On motion of Senator Woods, Senator McKinney was excused until next Monday on account of important business.

On motion of Senator Colquitt, Senator

Stafford was excused indefinitely on account of sickness.

On motion of Senator Smith, Senator Darwin was excused for the remainder of this week on account of sickness in his family.

Several motions were made to correct the Journal of yesterday, but it appearing that the printer had gotten the roll calls on several questions confused, the Journal Clerk was instructed to have same properly revised.

#### PETITIONS AND MEMORIALS.

By Senator Goss:

Petition from citizens of Childress and adjoining counties, asking that the rate of interest on school land sales be reduced to two per cent.

Read and referred to Committee on Public Lands.

By Senator Dean:

Petition from school teachers of El Paso county, requesting State warrants to be issued for amounts due them for salaries.

Read and referred to Committee on Education.

By Senator Dean:

Memorial from E. D. Lane, in behalf of the officers and soldiers of the regiment raised during the war for frontier protection, and praying that they be allowed admission to the Confederate Home at Austin, etc.

Read and referred to Committee on Military Affairs.

By Senator Beall:

Protest of merchants and business men of Cleburne against the passage of the general assignment bill.

Read and referred to Judiciary Committee No. 1.

#### COMMITTEE REPORTS.

Committee Room,

Austin, Texas, Jan. 24, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 54, being a bill to be entitled "An act to amend articles 488 and 489, of the Code of Criminal Procedure, and to add to said Code articles 489a, 489b, 489c, 489d, 489e, 489f, 489g, providing for the attachment of witnesses in criminal cases, and for the payment of the witnesses in felony cases,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

AGNEW, Chairman.

Committee Room,

Austin, Texas, Jan. 24, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 42, being a bill to be entitled "An act to amend article 683b of the Penal Code of the State of Texas

and to add to said Code article 683c as enacted by the Legislature of said State by act entitled "An act to amend article 683, chapter 3, title 17, of the Penal Code of the State of Texas, relating to malicious mischief and providing a penalty therefor by adding thereto article 683b, approved March 22, 1889, and amendatory of said recited act, and to define and punish the offense of wilfully and maliciously throwing missiles or firing guns or other firearms at or into moving trains or railroads in this State, and to repeal article 683b of said above recited act and all other laws in conflict with this act,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

AGNEW, Chairman.

Committee Room,

Austin, Texas, Jan. 24, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 89, being a bill to be entitled "An act to amend articles 483, 484 and 485 of the Code of Criminal Procedure of the State of Texas prescribing the manner in which citations shall be served upon witnesses disobeying subpoenas in criminal cases, the character of judgment that may be rendered in such cases, and providing for the collection of same,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

AGNEW, Chairman.

Committee Room,

Austin, Texas, January 25, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 14, being "An act to amend article 722, chapter 8, title 17, of the Penal Code of the State of Texas, as amended by the Eighteenth Legislature, by an act entitled 'An act to amend article 722, chapter 8, title 17, of the Penal Code of the State of Texas,' approved April 12, 1883,"

And find the same correctly engrossed.

BAILEY, Chairman.

Committee Room,

Austin, Texas, January 25, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 22, being "An act to amend article 3222, title 62, chapter 3, of the Revised Civil Statutes of the State of Texas, relating to limitation against married women."

And find the same correctly engrossed.

BAILEY, Chairman.

Committee Room,  
Austin, Texas, January 25, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 40, being "An act to amend article 2558, chapter 9, title 57, of the Revised Civil Statutes of Texas, relating to renting and leasing property, and investing and loaning money of wards,"

And find the same correctly engrossed.

BAILEY, Chairman.

Committee Room,  
Austin, Texas, January 25, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 21, being "An act to define the territory and provide for the establishing the boundaries of cities and towns in this State, and to validate the incorporation of any city or town heretofore incorporated in this State in certain cases,"

And find the same correctly engrossed.

BAILEY, Chairman.

Committee Room,  
Austin, Texas, January 25, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 44, being "An act to amend article 1211, title 29, chapter 5, of the Revised Civil Statutes of the State of Texas,"

And find the same correctly engrossed.

BAILEY, Chairman.

Committee Room,  
Austin, Texas, January 25, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 38, being "An act to repeal chapter 100 of the acts of the Twenty-second Legislature,"

And find the same correctly engrossed.

BAILEY, Chairman.

Committee Room,  
Austin, Texas, Jan. 25, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 26, being "An act to regulate the issuance of executions upon judgments of courts of record, and to prevent such judgments from becoming dormant,"

And find the same correctly enrolled, and have this day at 10:25 a. m. presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,  
Austin, Texas, Jan. 23, 1895.

Hon. Geo. T. Jester, President of the

Your Committee on Constitutional Amendments, to whom was referred

Senate joint resolution No. 4, being "A joint resolution to amend sections

Nos. 2, 3, 4, 5, 24 and 28 of article 3 of the Constitution of the State of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LEWIS, Chairman.

Committee Room,  
Austin, Texas, Jan. 23, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Constitutional Amendments, to whom was referred

Senate joint resolution No. 3, being "A joint resolution to amend sections 4, 22 and 23 of article 4, and sections 9, 15, 18, 20, 21 and 23 of article 5, section 14 and 16, article 8, sections 30 and 44 of article 16,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LEWIS, Chairman.

The Chair gave notice of signing and did sign after the caption of same had been read.

Senate bill No. 26, entitled "An act to regulate the issuance of executions upon judgments of courts of record, and to prevent such judgments from becoming dormant,"

#### BILLS AND RESOLUTIONS.

By Senator Boren:

A bill to be entitled "An act to amend section 17, article 7, of chapter 122, an act to provide an efficient system of public free schools of the State of Texas."

Read first time and referred to the Committee on Education.

By Senator Tips:

A bill to be entitled "An act to amend article 7, section 75, chapter 122, of the general laws of the State of Texas, being 'An act to provide for a more efficient system of public schools for the State of Texas,' etc., approved May 20, 1893."

Read first time and referred to the Committee on Education.

By Senator McComb:

A bill to be entitled "An act to amend section 13 of 'An act to amend sections 5, 8, 11, 13, 14, 15 and 22, chapter 99 of an act entitled 'An act to provide for the sale of the lands heretofore or hereafter surveyed and set apart for the benefit of the public free schools, the University and the several asylums, and the lease of such lands and of the public lands of the State, and to prevent the free use, occupancy, unlawful enclosure or unlawful appropriation of such lands, and to prescribe and provide adequate penalties therefor,' approved April 1, 1887, and approved April 8, 1889, and to extend the time for the removal of timber off of school lands heretofore sold under said act."

Read first time and referred to the Committee on Public Lands.

By Senator Bowser:

Whereas, Many of the rivers of Texas

can at a comparatively small cost be made navigable; and

Whereas, Said rivers traverse our most productive land and are bordered with a dense growth of valuable timber, suitable for manufacture and export, and pass through rich deposits of mineral and other materials, which, if developed, would contribute largely to the prosperity and material wealth of the state; be it

Resolved, That we urge the congress of the United States to make suitable and liberal appropriations for the improvement of said rivers, and respectfully request that our Representatives in Congress do all in their power to secure such appropriations.

Adopted.

By Senator Bailey:

Resolved, That J. M. Lowrey (Committee Clerk) be assigned to the engrossing department.

Adopted.

Call concluded.

### BILLS ON THIRD READING.

The Chair laid before the Senate, Senate bill No. 22, entitled "An act to amend article 3222, title 62, chapter 3, of the Revised Civil Statutes of the State of Texas."

Bill read third time and passed.

The Chair laid before the Senate, Senate bill No. 14, being a bill to be entitled "An act to amend article 722, chapter 8, title 17, of the Penal Code of the State of Texas, as amended by the Eighteenth Legislature, by an act entitled 'An act to amend article 722, chapter 8, title 17, of the Penal Code of the State of Texas,' approved April 12, 1883."

Bill read third time and passed by the following vote:

#### Yeas—22.

Agnew.	Harrison.
Atlee.	Lawhon.
Bailey.	Lewis.
Beall.	McComb,
Bowser,	Presler.
Colquitt.	Shelburne.
Crowley.	Simpson.
Dean.	Smith.
Dibrell.	Steele.
Gage.	Whitaker.
Goss.	Woods.

#### Nays—1.

Tips.

Absent, excused.

Darwin.	Sherrill.
McKinney.	Stafford.
Rogers.	

Absent—not excused.

Boren.	Greer.
Dickson.	

The Chair laid before the Senate, Senate bill No. 38, being a bill to be entitled "An act to repeal chapter 100 of the acts of the Twenty-second Legislature."

Bill read third time and passed.

6—Senate

### SPECIAL ORDER.

(President Pro Tem Lewis in the chair.)  
The Chair laid before the Senate, on second reading,

Senate substitute bill No. 7, a bill to be entitled "An act to amend section 9 of chapter 122 of the general laws of the State of Texas, passed at the regular session of the Twenty-third Legislature and approved May 20, 1893."

Bill read second time with favorable majority and adverse minority reports.

Senator Agnew moved that the minority report be adopted in lieu of the majority.

Senator McComb moved to suspend further consideration of the bill till Thursday morning after call.

Senator Atlee moved as a substitute, "Tuesday" for Thursday.

Senator McComb accepted the substitute.

The motion as substituted was lost.

Senator Steele moved to suspend further consideration till Thursday, and that it be made a special order for that day.

Lost.

Senator Atlee moved to postpone consideration till tomorrow after call.

Lost.

Senator Goss moved to postpone consideration till Wednesday next, and be made special order, after the special order (S. B. No. 16), now set for that day.

Carried.

The Chair laid before the Senate, special order,

Senate bill No. 6, being a bill to be entitled "An act concerning primary elections, called and held by authority of any political party, to prevent illegal voting at same, to prevent bribery and betting at same, and false returns thereof, and providing penalties therefor."

Bill read second time.

(Lieutenant Governor Jester in the chair.)

By Senator Smith:

Amend by striking out sections 3, 4, 5 and 6, and number the remaining sections to correspond.

Adopted.

By Senator Agnew:

Amend caption by striking out the words "to prevent bribery and betting at same."

Adopted.

By Senator Atlee:

Add to section 2, "provided, that any person who, having supported a nominee in any primary election, shall vote inconsistently with the vote in the primary election, shall be deemed guilty of a felony, and on conviction, shall be punished by confinement in the penitentiary for two years."

Lost by the following vote:

#### Yeas—2.

Atlee.	Simpson.
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#### Nays—19.

Agnew.	Crowley,
Bailey.	Dean.
Bowser.	Dibrell.
Colquitt	Gage.

Goss.	Smith.
Greer.	Steele.
Harrison.	Tips.
Lewis.	Whitaker.
McComb.	Woods.
Shelburne.	
Absent, excused.	
Darwin.	Sherrill.
McKinney.	Stafford.
Rogers.	
Absent—not excused.	
Beall.	Lawhon.
Boren.	Presler.
Dickson.	

By Senator Simpson:

Amend by adding:

Section 4. Any presiding officer, judge, clerk or other officer of any election, who shall divulge how any person voted at such primary election, from an inspection of the tickets, unless in a judicial investigation, shall be fined in any sum not less than one hundred nor more than five hundred dollars."

Pending consideration, on motion of Senator Simpson, Senator Dickson was excused till Tuesday next, on account of important business.

Senator Harrison moved to adjourn to Monday, 10 a. m.

Senator McComb moved to adjourn to 10 a. m. tomorrow.

The vote being taken on the longest time first, the Senate refused to adjourn to 10 a. m. Monday, by the following vote:

Yeas—8.

Agnew.	Harrison.
Colquitt.	Lewis.
Goss.	Shelburne.
Greer.	Steele.

Nays—13.

Atlee.	McComb.
Bailey.	Simpson.
Bowser.	Smith.
Crowley.	Tips.
Dean.	Whitaker.
Dibrell.	Woods.
Gage.	

Absent, excused.

Darwin.	Rogers.
Dickson.	Sherrill.
McKinney.	Stafford.

Absent, not excused.

Beall.	Lawhon.
Boren.	Presler.

The motion to adjourn to 10 a. m. tomorrow was lost by the following vote:

Yeas—10.

Atlee.	McComb.
Bowser.	Simpson.
Crowley.	Tips.
Gage.	Whitaker.
Harrison.	Woods.

Nays—11.

Agnew.	Greer.
Bailey.	Lewis.
Colquitt.	Shelburne.
Dean.	Smith.
Dibrell.	Steele.
Goss.	

Absent—excused.	
Darwin.	Rogers.
Dickson.	Sherrill.
McKinney.	Stafford.
Absent—not excused.	

Beall.	Lawhon.
Boren.	Presler.

Senator Smith moved the previous question on the bill (Senate bill No. 6), and pending amendment, which was duly seconded, and pending taking the vote, Senator McComb moved a call of the Senate, which was ordered, and pending roll call,

Senator Agnew moved to adjourn to Monday, 9:55 a. m.

Senator Smith moved, as a substitute, to adjourn to 10 a. m. tomorrow.

Senator Simpson made the point of order that the motions to adjourn were not in order for the reason that no business had been done, the motion for previous question not having been acted on.

Not sustained.

The motion being taken on the longest time, the motion to adjourn to Monday, 9:55, was lost by the following vote:

Yeas—10.

Agnew.	Greer.
Bailey.	Harrison.
Colquitt.	Lewis.
Crowley.	Shelburne.
Goss.	Steele.

Nays—11.

Atlee.	Simpson.
Bowser.	Smith.
Dean.	Tips.
Dibrell.	Whitaker.
Gage.	Woods.
McComb.	

Absent, excused.

Darwin.	Rogers.
Dickson.	Sherrill.
McKinney.	Stafford.

Absent, not excused.

Beall.	Lawhon.
Boren.	Presler.

Pending further action, by unanimous consent, the following bills were offered:

By Senator Dean:

A bill to be entitled "An act to prescribe the times for holding the terms of the district courts in the Fifty-first judicial district of the State of Texas."

Read first time and referred to Committee on Judicial Districts.

By Senator Bailey:

A bill to be entitled "An act to provide for the appointment and compensation of district court stenographers."

Read first time and referred to Judiciary Committee No. 1.

The Senate then adjourned to 10 a. m. tomorrow by the following vote:

Yeas—12.

Atlee.	Dibrell.
Bowser.	Gage.
Crowley.	Lewis.

McComb.  
Simpson.  
Smith

Tips.  
Whitaker.  
Woods.

## Nays—9.

Agnew,  
Colquitt.  
Bailey.  
Dean.  
Goss.

Greer.  
Harrison.  
Shelburne.  
Steele

Absent, excused.

Darwin.  
Dickson.  
McKinney.

Rogers.  
Sherrill.  
Stafford.

Absent, not excused.

Beall.  
Boren.

Lawhon.  
Presler.

## SEVENTEENTH DAY.

Senate Chamber,

Austin, Texas, January 26, 1895.

Senate met pursuant to adjournment.  
Lieutenant Governor Jester in the chair.

Roll called. No quorum present, the following Senators answering to their names:

Agnew.  
Atlee.  
Bowser.  
Dean.  
Dibrell.  
Gage.  
Goss.  
Harrison.  
Lawhon.

Lewis.  
McComb.  
Shelburne,  
Simpson.  
Smith.  
Tips.  
Whitaker.  
Woods.

Absent, excused.

Darwin.  
Dickson.  
McKinney.

Rogers.  
Sherrill.  
Stafford.

Absent, not excused.

Bailey.  
Beall.  
Boren.  
Colquitt.

Crowley.  
Greer,  
Presler.  
Steele.

Senator Dean moved a call of the Senate, which was ordered, the following Senators answering to their names:

Agnew.  
Atlee.  
Bowser.  
Crowley,  
Dean.  
Dibrell.  
Gage.  
Goss.  
Harrison.

Lawhon.  
Lewis.  
McComb.  
Shelburne.  
Simpson.  
Smith.  
Tips.  
Whitaker.  
Woods.

Absent, excused.

Darwin.  
Dickson.  
McKinney.

Rogers.  
Sherrill,  
Stafford.

Absent, not excused.

Bailey.  
Beall.  
Boren.  
Colquitt.

Greer.  
Presler.  
Steele,

On motion of Senator Agnew, the Senate adjourned to 10 a. m. Monday.

## EIGHTEENTH DAY.

Senate Chamber.

Austin, Texas, January 28, 1895.

Senate met pursuant to adjournment.  
Lieutenant Governor Jester in the chair.  
Roll called. Quorum present, the following Senators answering to their names:

Agnew.  
Atlee.  
Bowser.  
Colquitt.  
Crowley.  
Dean.  
Dibrell.  
Dickson.  
Gage.  
Goss.  
Greer.

Lawhon.  
McComb.  
Presler.  
Shelburne.  
Sherrill.  
Simpson.  
Smith.  
Steele.  
Tips,  
Whitaker.  
Woods.

Absent, excused.

Rogers.

Stafford.

Absent, not excused.

Bailey.  
Beall.  
Boren.  
Darwin

Harrison.  
Lewis.  
McKinney.

Prayer by the Chaplain, Dr. Smoot.  
Pending the reading of the Journal of yesterday,

On motion of Senator Simpson, the same was suspended.

On motion of Senator McComb, Senator Greer was excused for non-attendance on last Saturday on account of important business.

On motion of Senator Woods, Senator Colquitt was excused for non-attendance on last Saturday on account of sickness.

On motion of Senator Whitaker, Senator Steele was excused for non-attendance on last Saturday on account of important business.

On motion of Senator Dixon, Senator Boren was excused for non-attendance from Friday till next Wednesday on account of important business.

## COMMITTEE REPORTS.

Committee Room.

Austin, Texas, January 26, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 88, being a bill to be entitled "An act to provide for the removal and distribution among the Civil Courts of Appeals for the First, Second, Fourth and Fifth Supreme Judicial Districts of Texas, of the law library belonging to the State now situated at Tyler, Texas, and for such part of the law library situated at Austin, Texas, as may be removed and distributed under the provisions hereof,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

SMITH, Chairman.